



Economic and Social Council

Distr.: Limited
18 May 2016

Original: English

Permanent Forum on Indigenous Issues

Fifteenth session

New York, 9-20 May 2016

Draft report

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Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples

1. The Permanent Forum on Indigenous Issues welcomes the endorsement by Canada of the United Nations Declaration on the Rights of Indigenous Peoples, without qualification. We look forward to its immediate implementation, with full and effective participation of indigenous peoples, as a critical step in the reconciliation process between indigenous peoples and the State.
2. In accordance with international law, the Permanent Forum recommends that all member States of the Organization of American States recognize and respect that the United Nations Declaration on the Rights of Indigenous Peoples affirms the minimum standards for the American declaration on the rights of indigenous peoples.
3. The Permanent Forum welcomes the initiation of a national dialogue to discuss and to achieve key constitutional reforms in the field of justice in Guatemala, and encourages the recognition of indigenous justice systems. We urge Guatemala and the private sector, as well as the World Bank and other international economic institutions, to acknowledge that serious efforts require structural economic and social reforms rather than rapid growth of gross domestic product in order to reverse widespread and growing poverty among the indigenous peoples of Guatemala. Such crucial reforms must ensure more equitable distribution and access to traditional lands for the indigenous peoples of Guatemala, consistent with the



rights affirmed in the United Nations Declaration on the Rights of Indigenous Peoples, and based on respect for and legal recognition of their collective rights, including their self-determined development. The Permanent Forum calls upon the State of Guatemala to reinforce the effective and full implementation of its Peace Accords.

4. Mauna Kea, the sacred mountain for native Hawaiians, is currently targeted for the placement of an international observatory featuring a 30-metre telescope. Such an activity inhibits and is contrary to the rights articulated in articles 11 and 12 of the United Nations Declaration on the Rights of Indigenous Peoples. In addition, the Permanent Forum strongly recommends that the free, prior and informed consent of native Hawaiians be recognized.

5. The Permanent Forum appreciates the contributions of the United Nations Envoy of the Secretary-General on Youth to the advancement of the situation and rights of indigenous youth, as well as his work to combat suicide and self-harm. The Permanent Forum wishes to extend its support to the Envoy in his pursuit of these objectives, and calls upon Member States to implement the recommendations of the international expert group meeting on indigenous youth held in 2013 (see E/C.19/2013/3) in collaboration with the Envoy, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights, the World Health Organization and the Pan American Health Organization, and to mobilize resources to do so. The Permanent Forum also invites them to its sixteenth session to report on progress on this issue. The Permanent Forum calls upon the Envoy on Youth to work with other United Nations agencies to increase indigenous youth participation at the sessions of the Permanent Forum and all relevant United Nations forums and, in particular, those specifically addressing youth, such as the Economic and Social Council Youth Forum, the youth forum held by the Commission on the Status of Women, youth forums held in conjunction with key United Nations conferences and summits and through the Major Group for Children and Youth, and to report progress in this regard at the sixteenth session of the Permanent Forum.

6. The Permanent Forum urges the consideration of a distinct United Nations voluntary fund for indigenous youth or the earmarking of existing and future funds to increase and enhance the direct participation of indigenous youth at the United Nations. Furthermore, when such a fund is created, we encourage every United Nations Member State to make multi-year voluntary contributions.

7. The Permanent Forum urges States to take necessary measures at the national level for the prevention of self-harm and suicide among indigenous children and youth, in particular by promoting the training of experts in the field of psychology who focus on issues specific to indigenous peoples. Such special training should take into account economic, historical, social, ecological and other factors, such as the loss of indigenous languages, cultures and lands.

8. The Permanent Forum calls upon States to support the activities of representative institutions of indigenous peoples and to avoid any practice of limitation of such activities that are inconsistent with international law. The Permanent Forum urges all States to enable the functioning of indigenous peoples' institutions, in accordance with articles 5, 18 and 19 of the Declaration, as well as its spirit and intent.

9. Taking into account the challenges faced by States in the implementation of their international obligation to consult and obtain the free, prior and informed consent of indigenous peoples, the Permanent Forum commits to developing an international guide to facilitate the implementation of these principles in accordance with the standards established in the United Nations Declaration on the Rights of Indigenous Peoples. The Permanent Forum invites the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the rights of indigenous peoples to collaborate on this initiative.

10. In accordance with the right to food security and food sovereignty, the Permanent Forum takes note of the holding of the Indigenous Terra Madre 2015 in Shillong, Meghalaya, in north-east India, from 3 to 7 November 2015, convened by the Indigenous Partnership for Agrobiodiversity and Food Sovereignty with the support of the International Fund for Agricultural Development, the Food and Agriculture Organization of the United Nations, the government of Meghalaya and a number of non-governmental organizations and funding agencies. The event, including a food festival, was attended by delegates from 62 countries and 170 indigenous communities, who adopted the Shillong Declaration of Indigenous Terra Madre 2015. The Permanent Forum likewise commends the initiative to form the Indigenous Food Communities Alliance as an indigenous platform for promoting good, clean and fair food based on agroecological initiatives that respect Mother Earth, are culturally sensitive, value traditional practices and are based on indigenous traditional scientific knowledge.

11. In relation to food security and food sovereignty of indigenous peoples, the Permanent Forum acknowledges indigenous peoples' traditional knowledge, in particular that of indigenous women, and recognizes their cultural, social and environmental practices, which contribute to global efforts and initiatives such as the Sustainable Development Goals.

12. The Permanent Forum calls upon indigenous peoples to share with the world their cultural, social and environmental practices relating to the production and consumption of food, which are part of the solution to the global search for agricultural systems that are just, healthy, peaceful and sustainable.

13. Building upon past work of the Permanent Forum with regard to indigenous women, in particular the study on the extent of violence against indigenous women and girls in terms of article 22 (2) of the United Nations Declaration on the Rights of Indigenous Peoples (see E/C.19/2013/9) and the report of the international expert group meeting on combating violence against indigenous women and girls in terms of article 22 of the United Nations Declaration on the Rights of Indigenous Peoples (see E/2012/43-E/C.19/2012/13) the Permanent Forum recommends that States adopt measures aimed at addressing the specific problems of police brutality, systemic police violence and discrimination against indigenous women, as experienced, for instance, by the indigenous women in Val-D'or, Canada, Sapur Zarco, Guatemala, and north-east India.

14. The Permanent Forum recognizes the recent formation of an ad hoc working group on international repatriation with the participation of States, indigenous peoples and United Nations agencies, including the Expert Mechanism on the Rights of Indigenous Peoples, the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the Special Rapporteur in the field of cultural rights, which was reported at this session as another positive step forward in

the implementation of recommendation No. 8 of the fourteenth session of the Permanent Forum.

15. The Permanent Forum requests that UNESCO host a joint seminar with the Expert Mechanism on the Rights of Indigenous Peoples and other relevant United Nations mechanisms for the purpose of exploring the development of a new international mechanism on the repatriation of ceremonial objects and human remains. The Permanent Forum further calls upon all States with national repositories of indigenous cultural items and ancestral remains, including museums and universities, to work with UNESCO to create an international database and inventory of these items accessible to indigenous peoples as a basis for initiating dialogue.